

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

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OFFICE OF THE CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BARTON E. LANGENBERG,

Defendant.

)  
)  
) 8:09CR183

) INDICTMENT

) 31 U.S.C. § 5324(a)(3)  
) 31 U.S.C. §§ 5324(d)(1) and (d)(2)  
) 31 C.F.R. § 103.11(gg)  
) 31 U.S.C. § 5317

The Grand Jury Charges:

**COUNT I**

On or about the dates set forth below in the District of Nebraska, the Defendant, BARTON E. LANGENBERG, knowingly and for the purpose of evading the reporting requirements of Section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, did structure, assist in structuring, and attempt to structure and assist in structuring, the following transactions with Farmers and Merchants Bank (formerly Kearney State Bank) and Platte Valley State Bank, both domestic financial institutions:

| Count    | Date             | Transactions  |
|----------|------------------|---|
| Count I  | January 27, 2005 | Made cash deposits at the following banks:<br>1) Farmers and Merchants Bank (formerly Kearney State Bank) in the amount of \$9,500.00;<br>2) Platte Valley State Bank, in the amount of \$9,500.00. |
| Count II | March 1, 2005    | Made cash deposits at the following banks:<br>1) Farmers and Merchants Bank (formerly Kearney State Bank) in the amount of \$9,500.00;<br>2) Platte Valley State Bank, in the amount of \$9,500.00. |

|           |                   |   |
|-----------|-------------------|---|
| Count III | March 10, 2005    | Made cash deposits at the following banks:<br>1) Farmers and Merchants Bank (formerly Kearney State Bank) in the amount of \$4,719.00;<br>2) Platte Valley State Bank, in the amount of \$9,500.00. |
| Count IV  | June 20, 2005     | Made cash deposits at the following banks:<br>1) Farmers and Merchants Bank (formerly Kearney State Bank) in the amount of \$9,500.00;<br>2) Platte Valley State Bank, in the amount of \$9,550.00. |
| Count V   | June 21, 2005     | Made cash deposits at the following banks:<br>1) Farmers and Merchants Bank (formerly Kearney State Bank) in the amount of \$9,500.00;<br>2) Platte Valley State Bank, in the amount of \$7,700.00. |
| Count VI  | September 6, 2005 | Made cash deposits at the following banks:<br>1) Farmers and Merchants Bank (formerly Kearney State Bank) in the amount of \$9,500.00;<br>2) Platte Valley State Bank, in the amount of \$9,500.00. |

All in violation of Title 31, United States Code, Sections 5324 (a)(3) and 5324 (d)(1); and Title 31, Code of Federal Regulations, Section 103.11 (gg).

### **COUNT VI**

On or about the dates set forth below, in the District of Nebraska, the Defendant, BARTON E. LANGENBERG, knowingly and for the purpose of evading the reporting requirements of Section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, did structure, assist in structuring, and attempt to structure and assist in structuring, the following transactions with Farmers and Merchants (formerly Kearney State Bank), a domestic financial institution:

|     | <u>DATE OF REPORT</u> | <u>CURRENCY DEPOSIT AMOUNT</u> |
|-----|-----------------------|--------------------------------|
| a)  | 01/12/2005            | \$9,500.00                     |
| b)  | 01/25/2005            | \$9,500.00                     |
| c)  | 01/27/2005            | \$9,500.00                     |
| d)  | 01/31/2005            | \$9,500.00                     |
| e)  | 02/24/2005            | \$9,500.00                     |
| f)  | 03/01/2005            | \$9,500.00                     |
| g)  | 03/10/2005            | \$4,719.00                     |
| h)  | 03/14/2005            | \$9,500.00                     |
| i)  | 03/17/2005            | \$9,500.00                     |
| j)  | 03/21/2005            | \$9,500.00                     |
| k)  | 04/21/2005            | \$9,500.00                     |
| l)  | 05/06/2005            | \$9,500.00                     |
| m)  | 05/16/2005            | \$9,500.00                     |
| n)  | 05/23/2005            | \$9,500.00                     |
| o)  | 05/24/2005            | \$9,500.00                     |
| p)  | 06/20/2005            | \$9,500.00                     |
| q)  | 06/21/2005            | \$9,500.00                     |
| r)  | 08/25/2005            | \$9,500.00                     |
| s)  | 09/06/2005            | \$9,500.00                     |
| t)  | 10/24/2005            | \$9,500.00                     |
| u)  | 11/14/2005            | \$9,500.00                     |
| v)  | 12/01/2005            | \$9,500.00                     |
| w)  | 12/02/2005            | \$9,500.00                     |
| x)  | 12/14/2005            | \$9,500.00                     |
| y)  | 01/19/2006            | \$9,500.00                     |
| z)  | 02/01/2006            | \$9,500.00                     |
| aa) | 02/10/2006            | \$9,500.00                     |
| bb) | 03/08/2006            | \$9,500.00                     |
| cc) | 03/09/2006            | \$9,500.00                     |
| dd) | 03/10/2006            | \$ 890.00                      |
| ee) | 04/24/2006            | \$9,500.00                     |
| ff) | 05/04/2006            | \$9,500.00                     |
| gg) | 05/05/2006            | \$9,500.00                     |
| hh) | 05/08/2006            | \$9,500.00                     |
| ii) | 07/28/2006            | \$9,500.00                     |
| jj) | 07/29/2006            | \$9,300.00                     |
| kk) | 08/07/2006            | \$9,400.00                     |
| ll) | 08/08/2006            | \$9,500.00                     |
| mm) | 08/09/2006            | \$9,500.00                     |
| nn) | 08/21/2006            | \$9,500.00                     |
| oo) | 09/19/2006            | \$9,500.00                     |

|       | <u>DATE OF REPORT</u> | <u>CURRENCY DEPOSIT AMOUNT</u> |
|-------|-----------------------|--------------------------------|
| pp)   | 09/23/2006            | \$9,500.00                     |
| qq)   | 10/21/2006            | \$9,500.00                     |
| rr)   | 11/28/2006            | \$9,500.00                     |
| ss)   | 01/05/2007            | \$9,500.00                     |
| tt)   | 01/08/2007            | \$9,500.00                     |
| uu)   | 01/11/2007            | \$9,500.00                     |
| vv)   | 03/01/2007            | \$9,500.00                     |
| ww)   | 04/26/2007            | \$9,500.00                     |
| xx)   | 04/27/2007            | \$9,500.00                     |
| yy)   | 04/28/2007            | \$9,500.00                     |
| zz)   | 04/30/2007            | \$9,500.00                     |
| aaa)  | 06/11/2007            | \$9,500.00                     |
| bbb)  | 06/14/2007            | \$9,500.00                     |
| ccc)  | 06/15/2007            | \$9,500.00                     |
| ddd)  | 06/16/2007            | \$ 9,500.00                    |
| eee)  | 07/21/2007            | \$9,500.00                     |
| f ff) | 07/23/2007            | \$9,500.00                     |
| ggg)  | 08/18/2007            | \$9,500.00                     |
| hhh)  | 08/21/2007            | \$9,500.00                     |
| iii)  | 08/23/2007            | \$9,500.00                     |
| jjj)  | 09/05/2007            | \$9,500.00                     |
| kkk)  | 09/06/2007            | \$9,450.00                     |
| lll)  | 09/21/2007            | \$9,500.00                     |
| mmm)  | 10/26/2007            | \$9,500.00                     |
| nnn)  | 10/29/2007            | \$9,500.00                     |
| ooo)  | 10/30/2007            | \$9,500.00                     |
| ppp)  | 10/31/2007            | \$9,300.00                     |
| qqq)  | 11/08/2007            | \$9,500.00                     |
| rrr)  | 01/03/2008            | \$9,500.00                     |
| sss)  | 01/07/2008            | \$9,500.00                     |
| ttt)  | 01/08/2008            | \$9,500.00                     |
| uuu)  | 01/10/2008            | \$9,500.00                     |
| vvv)  | 02/08/2008            | \$9,500.00                     |
| www)  | 02/25/2008            | \$9,500.00                     |
| xxx)  | 03/03/2008            | \$9,500.00                     |
| yyy)  | 03/10/2008            | \$9,500.00                     |
| zzz)  | 03/11/2008            | \$9,500.00                     |
| aaaa) | 03/12/2008            | \$9,500.00                     |
| bbbb) | 03/13/2008            | \$9,500.00                     |
| cccc) | 03/22/2008            | \$9,500.00                     |
| dddd) | 03/24/2008            | \$9,500.00                     |

|         | <u>DATE OF REPORT</u> | <u>CURRENCY DEPOSIT AMOUNT</u> |
|---------|-----------------------|--------------------------------|
| eeee)   | 03/26/2008            | \$9,500.00                     |
| ff f f) | 04/25/2008            | \$9,500.00                     |
| gggg)   | 04/29/2008            | \$9,500.00                     |
| hhhh)   | 04/30/2008            | \$9,500.00                     |

All in violation of Title 31, United States Code, Sections 5324 (a)(3) and 5324 (d)(2); and  
Title 31, Code of Federal Regulations, Section 103.11 (gg).

**COUNT III**  
**FORFEITURE ALLEGATION**

1. The allegations of Counts I and II of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 31, United States Code, Section 5317.

2. As a result of the offense alleged in Counts I and II herein, Defendant, BARTON E. LANGENBERG, shall forfeit to the United States any and all interest he has in all property, real and personal, involved in the offense alleged in Counts I and II, and all property constituting or derived from proceeds obtained directly or indirectly as a result of such violation including but not limited to the following:

\$15,494.18 in United States currency

If the above-described forfeitable property, as a result of any act or omission of the Defendant -

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with , a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 31, United States Code, Section 5317 to seek forfeiture of any other property of said Defendant up to the value of the above forfeitable property.

In violation of Title 31, United States Code, Section 5317.

A TRUE BILL

FOREPERSON



JOE W. STECHER  
United States Attorney

The United States of America requests that trial of this case be held at Omaha, Nebraska, pursuant to the rules of this Court.



RUSSELL X. MAYER  
Assistant U.S. Attorney